

<sup>2</sup> OWCP used the date her supervisor signed the form, October 7, 2005, instead of the date appellant signed the form, October 6, 2005.

requesting compensation for leave without pay (LWOP) for the period November 9, 2004 to January 11, 2005.<sup>3</sup> In a time analysis form (Form CA-7a) dated October 5, 2005, appellant claimed eight total hours of LWOP during the period November 9, 2004 to January 11, 2005 due to a doctor's appointments and physical therapy sessions.

OWCP, by letter dated October 25, 2005, authorized payment of wage-loss compensation for 0.65 intermittent hours of time lost from work on January 4, 2005. It advised that, based on the breakdown from her Form CA-7 and Form CA-7a, she requested 0.93 hours of annual leave on November 9, 2004, 0.69 hours of annual leave on November 23, 2005 and 0.89 hours of sick leave on December 21, 2004, which it found was supported by the medical evidence of record. However, OWCP also noted that requests for leave buy back could only be processed if the employing establishment agreed to credit appellant with the leave she wanted to buy back. It further advised that the evidence to date did not support that her disability exceeded 14 days and therefore the first 3 days of disability following continuation of pay would not be payable until her disability period exceeded 14 days.

By letter dated December 26, 2017, OWCP informed appellant that on October 7, 2005 it received her claim requesting wage-loss compensation for lost time due to medical treatment for the period November 9, 2004 to January 11, 2005. It advised that no medical evidence had been received supporting lost work time to attend a therapy session or medical appointment on the dates alleged.

By decision dated February 22, 2018, OWCP denied appellant's claim for wage-loss compensation for the period November 9, 2004 to January 11, 2005, finding that she had not submitted any medical evidence supporting her claim for wage-loss compensation. On March 13, 2018 it received her request for reconsideration. By decision dated June 11, 2018, OWCP denied appellant's request for modification of the February 22, 2018 decision as it found she had not submitted supporting medical evidence.

The Board finds that OWCP, in its February 22 and June 11, 2018 decisions, did not review reports dated November 9 and December 4, 2004 and January 5, 2005 from Dr. Davis. For this reason, the case will be remanded to OWCP to enable it to properly consider all the evidence of record at the time of the February 22 and June 11, 2018 decisions. Following such further development as OWCP deems necessary, it shall issue an appropriate merit decision on the claim.

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<sup>3</sup> The record also contains CA-7 forms from appellant requesting leave buy back for the period October 22, 2004 to September 13, 2005 and claim for LWOP for the period November 1 to December 1, 2005. OWCP has not issued any decision regarding her claim for leave buy back and wage-loss compensation.

**IT IS HEREBY ORDERED THAT** the decisions of the Office of Workers' Compensation Programs dated June 11 and February 22, 2018 are set aside and the case is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: July 9, 2019  
Washington, DC

Christopher J. Godfrey, Chief Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board